

IDAHO BOARD OF MASSAGE THERAPY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 3/11/2013

BOARD MEMBERS PRESENT: Gayla Nickel - Chair
Ione C Springer
Paul J Weston
Brooke E Barnes-Via Phone
Linda A Chatburn

BUREAU STAFF: Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Roger Hales, Admin Attorney
Debbie Sexton, Technical Rec Spec II
April Haynes, Technical Rec Spec I

OTHERS PRESENT: Suzie Lindberg, AMTA ID President
Jean Robinson, ABMP-Via Phone
Craig Croner, City of Boise
Susan Chunohman, City of Boise
Jamie Heinzerling, City of Boise
Judy Silcock, AMTA ID GR Chair
Ralph Blout, Boise Legal Department
Robert Dooner
Steve Butterfield

The meeting was called to order at 9:00 AM MST by Gayla Nickel.

APPROVAL OF MINUTES

Ms. Chatburn made a motion to approve the minutes of 11/5/2012. It was seconded by Mr. Weston. Motion carried.

LEGISLATIVE REPORT

Mr. Hales presented the legislative report. He said that the legislators had accepted the Rules. They will become effective once they are signed at the end of the legislative session.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board has a negative cash balance of (\$34,976.31) as of 02/08/2013. She explained that the negative balance will be retrieved once the Board begins collecting license fees.

OLD BUSINESS

APPLICATIONS

The Board reviewed the applications and discussed changes with Ms. Robinson. The Board decided to offer three separate applications to accommodate the three methods of applying for a license.

NEW BUSINESS

CORRESPONDENCE

The Board reviewed correspondence from Ms. Williams regarding Massage Therapy license requirements. The Board instructed Ms. Haynes to respond that the burden of proof lies with the applicant to prove to the Board they have met all of the requirements for licensure in Idaho.

The Board reviewed correspondence from Ms. King regarding approved schools and when to be licensed with the State of Idaho. The Board advised Ms. King that on or after July 1, 2013, it is unlawful to practice massage therapy in Idaho without a valid state license. She was also advised that the burden of proof lies with the applicant to prove to the Board they have met all of the requirements of licensure in Idaho.

The Board reviewed concerns from Mr. Weston regarding the possibility of keeping a list of individuals who have previously had ethical complaints made against them. Board members were encouraged to discuss specific cases if there are any, with Mr. Ellsworth. Discussion was held and it was determined that if a board member has such information and it is not disclosed by the applicant, the person in question needs to have the opportunity to respond.

The Board reviewed correspondence from Ms. Bush regarding school instructors. The Board instructed Ms. Haynes to respond, that the Board does not regulate instructors.

The Board reviewed correspondence from Ms. Capper regarding Esthetics VS Massage. The Board instructed Ms. Haynes to respond, that exfoliation and facials are beyond the scope of Massage Therapy.

The Board reviewed correspondence from Ms. Thelin regarding lasers and laser treatment and Grandfathering. The Board instructed Ms. Haynes to respond that

laser and light therapies are prohibited per Idaho Code 54-4004. The burden of proof lies with the applicant to prove to the Board they have met all of the requirements for licensure in Idaho.

The Board reviewed correspondence from Ms. Haas regarding Massage Licensing. The Board instructed Ms. Haynes to respond that according to the laws and rules of Massage Therapy, if you are practicing and/or calling one-self a Massage Therapist you will need to be licensed by July 1st, 2013.

The Board reviewed correspondence from Ms. Ohlmann regarding Board Certification. The Board determined to accept reports electronically.

The Board reviewed correspondence from Ms. Silcock regarding the Board Rules. Mr. Weston made a motion to table this e-mail until the next Board meeting. Ms. Springer seconded the motion. Motion Carried.

The Board reviewed correspondence from Ms. Rodrigues regarding a new massage school in Rexburg. The Board stated that there is no new exam. The question regarding the Department of Education was referred to Harv Lyter.

The Board reviewed correspondence from Ms. Mason regarding online classes. The Board voted to waive the requirement for a high school diploma or the equivalent for those applying under the grandfathering option.

The Board reviewed correspondence from Mr. Geddes regarding education. The Board instructed Ms. Haynes to respond that the Board voted to waive the requirement for a high school diploma or the equivalent for those applying under the grandfathering option.

The Board reviewed correspondence from Ms. Arnold regarding education. The Board instructed Ms. Haynes to respond that the burden of proof lies with the applicant to prove to the Board they have met all of the requirements for licensure in Idaho. It is the responsibility of the applicant to meet the requirements for licensure in Idaho.

The Board reviewed correspondence from Ms. Nickel regarding closed schools. The Board suggested telling people that they must qualify under one of the options listed in the Statutes and Rules, and to present what information that they do have with their application. The Board will review it and make a determination. No response is needed.

NEXT MEETING was scheduled for March 19th, 2013 by conference call.

ADJOURNMENT

Ms. Chatburn made a motion to adjourn the meeting at 1:30. It was seconded by Ms. Springer. Motion carried.

Gayla Nickel, Chair

Ione C Springer

Paul J Weston

Brooke E Barnes

Linda A Chatburn

Tana Cory, Bureau Chief